

For and in consideration of One Thousand One Hundred and Twenty-Three Dollars and Forty-Five Cents (\$1,123.45) and other good and valuable considerations, the receipt whereof is hereby acknowledged, William C. Plambeck and Christina M. Plambeck (Husband and Wife) of 523 South Madison - Papillion, Nebraska 68046; Grantor does hereby grant, convey, and release unto the Board of County Commissioners of Sarpy County, Nebraska, Grantee, its successors and assigns, a perpetual easement in, over, and upon the following described land situated in the County of Sarpy, State of Nebraska, to wit: Approximately twenty-five and five tenth (25.5) acres located in the S 1/2 of NW 1/4 of Section 36 - T 14 N - R 11 E of the 6th P.M. for the purpose of or in connection with construction, operation, maintenance, and inspection of a Grade Stabilization Structure, designated as Site S-15 in the plans for Papillion Creek Watershed, for the flowage of any waters in, over, upon, or through such structures; and for the permanent storage and temporary detention, either or both, of any waters and sediment that are impounded, stored, or detained by such structure and to include a site where suitable borrow materials may be obtained for construction.

The rights and privileges herein granted shall be subject to the following terms and conditions:

- 1) The consideration recited herein shall constitute payment in full for all damages sustained or to be sustained by the Grantor by reason of the construction, operation, maintenance, and inspection of the works of improvement described above, with the exception of any damage to growing crop(s) destroyed during the construction.
- 2) In the event construction on the above described works of improvement is not commenced within eight years from the date hereof, the rights and privileges herein granted shall at once revert to and become the property of the Grantor, his heirs and assigns.
- 3) This easement includes the right of ingress and egress as specified hereafter: The ingress and egress route will begin at the SW corner of the NW 1/4 of Section 36 - T 14 N - R 11 E of the 6th P.M. and continue easterly along the south property line of said property to a point where such route intersects the right-of-way boundary of Site S-15; thence, continuing northeasterly within the right-of-way boundary by following the gullied channel to the construction area of the earth filled dam.
- 4) There is reserved to the Grantor, his heirs and assigns, the right and privilege to use the above described land of the Grantor at any time, in any manner, and for any purpose not inconsistent with the full use and enjoyment by the Grantee, its successors and assigns, of the right and privilege herein granted.
- 5) The Grantee is responsible for operating and maintaining the above described works of improvement.
- 6) This easement shall not pass nor shall the same be construed to pass to the Grantee any fee simple interest or title to the above described lands.

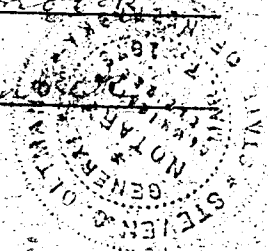
TO HAVE AND TO HOLD the aforesaid easement in, over, and upon the above described land of the Grantor, with all the rights, privileges, and appurtenances thereto belonging or in anywise appertaining, unto the Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF the Grantor has executed this instrument on the 21st day of November, 1968.

William C. Plambeck
Signature of Grantor

Christina M. Plambeck
Signature of Grantor

State of Nebraska
ss
Sarpy County



On this, the 21st day of November, A.D. 1968, before me the undersigned Steven B. Ottmans, a Notary Public, duly commissioned and residing in said county, personally came William C. Plambeck and Christina M. Plambeck (Husband and Wife) to me known to be the identical persons whose names affixed to the foregoing instrument and acknowledge the same to be a voluntary act and deed. Witness my hand and Notarial Seal the day and year last above written.

Steven B. Ottmans
Notary Public

My commission expires the 7th day of March, 1973.